

Inmate Telephone Service

Acting on its mandate to ensure that rates for phone calls are just, reasonable and fair for all Americans, the FCC is working to rein in the excessive rates and egregious fees on phone calls paid by some of society's most vulnerable: people trying to stay in touch with loved ones serving time in jail or prison.

In most cases, inmates' telephone calling options are limited to one or more of the following calling types: collect, debit account or pre-paid account. Also, incarcerated persons typically cannot choose their calling provider. These factors, combined with unrestricted rates, have often resulted in unreasonably high phone bills for inmates' families.

New rate caps for interstate calls from prisons

The FCC's most recent action (https://apps.fcc.gov/edocs_public/attachmatch/DOC-340632A1.docx) occurred on August 4, 2016, when it set new rate caps for local and long-distance inmate calling. The new rate caps are scheduled to take effect 90 days after publication in the Federal Register for prisons, and six months after publication in the Federal Register for jails. Under that schedule, the new rates will likely take effect in prisons late in fourth quarter of 2016, and in jails late in the first quarter of 2017.

Currently, the FCC's interim rate cap is in effect, but applies only to interstate calls, not to intrastate or local calls. That rate is 21 cents a minute for debit/prepaid interstate calls, and 25 cents a minute for collect interstate calls.

Once they become effective, the new rate caps for local and long-distance debit and prepaid ICS calls will be as follows:

- State or federal prisons: 13 cents/minute
- Jails with 1,000 or more inmates: 19 cents/minute
- Jails with 350-999 inmates: 21 cents/minute
- Jails of up to 349 inmates: 31 cents/minute

Rates for collect calls are slightly higher in the first year and will be phased down to these caps after a two-year transition period. Charges on inmate calls that exceed these rate caps will be in violation of federal rules.

NOTE: The Commission in October 2015 established rate caps for local and long-distance calls, but these rates never took effect due to a court challenge. The rates set by the Commission on August 4, 2016, will replace the October 2015 rates.

Additional service charges

The Commission has also limited the types of ancillary services providers are permitted to charge users of inmate calling services and capped the amounts providers can charge for the permitted fees. Specifically, the Commission prohibits any additional service charges, except for the following:

| Permitted Ancillary Service Charges and Taxes | Monetary Cap Per Use / Instruction |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| Applicable taxes and regulatory fees | Provider shall pass these charges through to consumers directly with no markup |
| Automated payment fees | \$3.00 |
| Live agent fee, i.e., phone payment or account set up with optional use of a live operator | \$5.95 |
| Paper bill/statement fees (no charge permitted for electronic bills/statements) | \$2.00 |
| Prepaid account funding minimums and maximums | Prohibit prepaid account funding minimums and prohibit prepaid account funding maximums under \$50 |
| Third-party financial transaction fees, e.g., MoneyGram, Western Union, credit card processing fees and transfers from third party commissary accounts | Provider shall pass this charge through to end user directly, with no markup |

Calls involving the use of TTY

In addition, the Commission acted to protect ICS users with communications disabilities by limiting charges for ICS calls involving the use of TTY (text telephones). Per-minute rates for TTY-to-TTY calls are capped at 25 percent of the rates providers charge for traditional ICS calls and providers are not permitted to collect any charge or fee for TTY-to-voice or voice-to-TTY calls.

Other provisions related to inmate calling services

No inmate calling service provider may block a collect call solely because it lacks a prior billing relationship with the called party's telephone provider unless the provider also offers debit, pre-paid or pre-paid collect calling options.

FCC rules require that, when an inmate places a collect call, each operator service provider must identify itself to the person receiving the call before connecting the call. Each operator service provider must also disclose, before connecting the call, how the receiving party may obtain rate quotations.

Additionally, the operator service provider must permit the receiving party to terminate the telephone call at no charge before the call is connected. These rules apply only to interstate operator service provider calls.

Filing a complaint

If you feel you or a family member has been overcharged by an inmate calling service provider, you can file a complaint with the FCC. You have multiple options for filing a complaint with the FCC:

- File a complaint online at <https://consumercomplaints.fcc.gov>
- By phone: 1-888-CALL-FCC (1-888-225-5322); TTY: 1-888-TELL-FCC (1-888-835-5322); ASL 1-844-432-2275
- By mail (please include your name, address, contact information and as much detail about your complaint as possible):

Federal Communications Commission
Consumer and Governmental Affairs Bureau



Consumer Inquiries and Complaints Division
445 12th Street, S.W.
Washington, DC 20554

Other resources

States may have their own rules governing intrastate ICS calls. To complain about violations of these state rules, contact the state public utility commission in the state where the call took place. State public utility commission addresses may be found at www.naruc.org/Commissions or in the government section of your local telephone directory.

Accessible formats

To request this article in an accessible format - braille, large print, Word or text document or audio - write or call us at the address or phone number above, or send an email to fcc504@fcc.gov.

Last Reviewed: 8/10/16

